

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:09CR186</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
	)	
<b>MIGUEL PEREZ-HERNANDEZ,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Defendant's appeal (Filing No. 26) from the detention order (Filing No. 22) entered by Magistrate Judge Thomas D. Thalken.

NECrimR 46.2(c) provides: "Unless additional evidence is received on review, the district judge reviews an order of release or detention de novo on the record made before the magistrate judge."

This Court is unable to review de novo the record made before the Magistrate Judge, as a transcript has not been ordered. Therefore, the appeal will be denied.

IT IS ORDERED

1. The Defendant's appeal (Filing No. 26) is denied; and
2. The Magistrate Judge's detention order (Filing No. 22) is affirmed.

DATED this 24<sup>th</sup> day of July, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge